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ADVANCED NOTICE OF PROPOSED RULE MAKING
(ANPRM)

JULY 30, 2014

RUSHMORE PLAZA CIVIC CENTER
RAPID CITY, SOUTH DAKOTA

1 **MR. DERRICK BEETSO:** I guess we'll go ahead
2 and get started today. Good morning, everyone.
3 My name is Derrick Beetso. I am a counselor to
4 the Assistant Secretary for Indian Affairs, Kevin
5 Washburn. Today's meeting is on Advanced Notice
6 of Proposed Rule Making, on procedures for
7 reestablishing a government-to-government
8 relationship with the Native Hawaiian community.

9 This morning's meeting was initially
10 scheduled as tribal consultation. It was closed
11 to the press and it was supposed to be a
12 government-to-government consultation from the
13 government and their native tribes and their
14 representatives. As of this morning we don't have
15 any tribal leadership so this will not be tribal
16 consultation.

17 But since we have folks in the room that are
18 interested in this issue, we figured we'd go ahead
19 and open it up as a public forum. So we will be
20 taking comments today.

21 We have a court reporter right here. So
22 please make sure any comments that you make, make
23 sure you state your name clearly, make sure you
24 speak clearly and precisely so that she can
25 properly record your statements, okay?

1 So welcome, again, to the Rushmore Civic
2 Plaza. We have a little roadmap of where we're
3 going today. So we will start out with welcome,
4 which we just went through and then we'll move on
5 to introductions and we will introduce our federal
6 panel. And since we have such a small group,
7 we'll go ahead and introduce ourselves
8 individually. And then we'll get into a group
9 discussion of Native Hawaiian history and then
10 we'll review the ANPRM and then open it up to
11 comments afterwards, okay.

12 So, again, my name is Derrick Beetso and I'm
13 going to go ahead and pass it over to our other
14 federal officials to introduce themselves.

15 **MS. JENNIFER ROMERO:** Good afternoon. My
16 name is Jennifer Romero. I am a Senior Adviser to
17 Secretary Jewel in the Department of the Interior.

18 **MS. VENUS PRINCE:** Hi. I am Venus McGhee
19 Prince. I am a member of the Poarch Band of Creek
20 Indians in southern Alabama and I am a Deputy for
21 Indian Affairs for the Department of Interior.

22 **MR. DERRICK BEETSO:** And we have Annette
23 Romero in the front. She's with our Department of
24 Regulatory Affairs. And we have Craig Dorsett
25 here, as well.

1 So right now I'll go ahead and pass the
2 microphone around here and then I'll bring it over
3 there.

4 **MS. ROWENA AKANA:** Aloha. I am Rowena Akana
5 representing the Office of Hawaiian Affairs in
6 Honolulu.

7 **MR. KAWIKA RILEY:** Aloha. Kawika Riley also
8 with the Office of Hawaiian Affairs.

9 **MR. BEN CARNES:** Ben Carnes, Chahta Nation.
10 The call us Chahta. Obama calls us
11 Kahkta (phonetic) so hopefully he'll learn to
12 speak that right. My friends in Hawaii said to
13 say Aloha to all the relatives who are here. I'm
14 from Oklahoma so I came a long ways.

15 **MR. JIM LEACH:** My name is Jim Leach. I am a
16 lawyer in Rapid City. The Lakota would say that
17 I'm a member of the Wasicu Tribe. But I'm
18 actually here today on behalf of the Pacific
19 Justice and Reconciliation Group in Hawaii which
20 asked me to attend and observe on its behalf.

21 **MS. LYNETTE ASPERIN:** My name is Lynette
22 Asperin from Colorado.

23 **MS. SUSAN BAME:** Hello. I am Susan Bame, and
24 for the court reporter -- I used to be one -- it's
25 B-A-M-E. I come here from Sioux City, Iowa. My

1 business is called Full Circle Mediation and I
2 facilitate native family team meetings in Sioux
3 City. And I'm here just because I'm interested in
4 the -- in what's going on here.

5 **MR. DERRICK BEETSO:** Okay. Well, welcome
6 everyone. Like I said, we'll go ahead and kick
7 off today with a brief history of Native Hawaiians
8 and their relationship with the federal government
9 and how we got to where we are now in the Advanced
10 Notice of Proposed Rule Making process.

11 This is Jennifer Romero. She'll take it
12 away.

13 **MS. JENNIFER ROMERO:** Thanks, Derrick.

14 I'd like to just begin with a brief
15 background of Native Hawaiian affairs.

16 Can you hear me okay?

17 **THE COURT REPORTER:** Can you -- can you turn
18 the mic somehow so it's a little more in front of
19 you at all. Perfect. Thank you.

20 **MS. JENNIFER ROMERO:** So like Native
21 Americans and Alaska Natives on the main land, the
22 Native Hawaiians are distinct Indigenous native
23 people who lived and exercised sovereignty over
24 the Hawaiian Islands for centuries before there
25 being contact and the formation of the Federal

1 Government.

2 Native Hawaiians today continue to maintain
3 their national identity as distinct people with a
4 unique language, history, cultural and ancestral
5 land base.

6 But despite these attributes, they are the
7 only Indigenous people of the United States that
8 do not have a government-to-government
9 relationship with the United States. Currently
10 there are no federal regulations that exist for
11 recognizing a Native Hawaiian government.

12 So let me get into a very brief history of
13 Native Hawaiian people and the government. The
14 Polynesians settled the Hawaiian Islands thousands
15 of years ago. But by 1500, there were four High
16 Chiefs that emerged who competed for control over
17 districts and lands throughout the islands.

18 And by the end of that era, it was possible
19 for one chief called Kamehameha to unite the
20 islands, and that happened in -- in and around
21 1810. King Kamehameha united the kingdom, created
22 a federal inter-island kingdom and he established
23 a monarchy under his rule.

24 King Kamehameha was the first, and his heirs,
25 ruled united Hawaii until about 1839 when a

1 constitutional monarchy was formed. The
2 constitutional monarchy was overthrown by United
3 States businessmen with the help of United States
4 Marines in 1893.

5 A provisional government was established and
6 eventually the queen, who ruled at the time, was
7 forced to abdicate her throne.

8 In 1898 the United States annexed Hawaii as a
9 territory despite massive protest by Native
10 Hawaiians still loyal to the monarchy. And
11 despite no formal treaty of annexation, the United
12 States annexed Hawaii at that time. And in 1959,
13 Hawaii became the fiftieth state of the Union.

14 Native Hawaiians experienced massive social,
15 economic and political upheaval during the
16 20th Century. The United States policy of
17 assimilation caused Native Hawaiian language,
18 culture and ways of life to become under threat.
19 But Native Hawaiians in their traditions persisted
20 and the United States continued to recognize
21 Native Hawaiian people as an Indigenous people of
22 Hawaii, enacting laws that formed the basis for
23 the special and political relationship it has with
24 the United States today.

25 In 1993, 100 years after the overthrow of the

1 Hawaiian Kingdom, the United States formally
2 apologized for its participation in the overthrow
3 of the kingdom explicitly acknowledging that the
4 special relationship that exists between the
5 Hawaiian -- Native Hawaiian people and the United
6 States existed. The United States also
7 acknowledged that Native Hawaiians will never
8 relinquish sovereignty and that the overthrow was
9 illegal.

10 So that kicked off a reconciliation process.
11 And in 1999 a federal team of officials from the
12 Department of Interior and the Department of
13 Justice conducted meetings in Hawaii to
14 investigate the process of reconciliation with
15 Native Hawaiian people. The meeting touched on
16 topics including sovereignty, community and
17 economic development, health and education and
18 housing. The results of those meetings that were
19 conducted throughout the islands in 1999 resulted
20 in a federal report that recommended Native
21 Hawaiian self-determination and self-governance
22 through a federal recognition act its highest
23 priority.

24 So in 2000, the United States Congress, under
25 the leadership of Senator Akaka, introduced

1 legislation that would have recognized Native
2 Hawaiians and an institute of
3 government-to-government relationship with the
4 United States. Ultimately, however, Senator Akaka
5 retired without successfully passing any federal
6 recognition law that would have bestowed that
7 status upon Native Hawaiians.

8 And as a result of all of these attempts by
9 the United States Congress, by Hawaiian
10 Congressional Deligation, state and local
11 leadership, to advance the Native Hawaiian
12 community toward some type of
13 government-to-government self-determination, those
14 efforts have ultimately not resulted in any kind
15 of recognition.

16 So in June of this year, Secretary Jewel made
17 the announcement that the Department of Interior
18 was seeking comments in an Advanced Notice of
19 Proposed Rule Making; whether the Secretary should
20 propose a rule that would facilitate the
21 reestablishment of a government-to-government
22 relationship with the Native Hawaiian community.
23 So the ANPRM is the first step in determining
24 whether the Interior should actually file a rule.

25 And with that I'll turn it over to Venous to

1 discuss what the ANPRM is.

2 **MS. VENUS PRINCE:** Aloha. The ANPRM is a
3 fancy way for the Federal Government to ask formal
4 questions, and that's what this is. I mean, most
5 people, when they hear of rule making, they -- the
6 draft rule has already been done and so there is
7 something concrete out there that the government
8 is considering, and that's when the notice and
9 comment period in these types of meetings are
10 usually launched.

11 So this is sort of a pre-rule effort, and
12 it's a -- truly intended by the Department to ask
13 formal questions and seek input from the Native
14 Hawaiian community before the rule is even drafted
15 because if the community says it doesn't need/want
16 a rule, you know, then that's what -- the
17 Department wants to hear that.

18 The ANPRM, if you have a copy of it -- and I
19 know they are probably out by the front door --
20 there are 19 specific questions, when you flip to
21 the back of it, which can seem very intimidating.
22 I know they are a lot of very detailed questions.
23 But, essentially, it boils down to five questions.
24 And the very first one is the most important one
25 which is -- right now, as Jennifer mentioned,

1 there is no process by which the Secretary could
2 recognize a Native Hawaiian government if it were
3 formed and came knocking on the door at the
4 Department of Interior. And the first question
5 really boils down to, should there be one and
6 should the Secretary have one.

7 And if you think -- if you get past that
8 threshold question, whether you think the
9 Secretary should even consider it and have one,
10 then the second and third questions really come
11 down to what should be the Secretary's role be in
12 facilitating a reorganization that could lead to
13 federal recognition.

14 And that is -- for tribes there is a
15 process -- it's called Part 81 -- that does allow
16 them to ask the Secretary for assistance with
17 elections and that kind of thing. But I think we
18 recognize that that process would not be suited to
19 the Native Hawaiian community because of its
20 unique history, culture and values.

21 And also, right now, those of you who are
22 following things closely, the Office of Hawaiian
23 Affairs, which is sort of a unique state agency
24 that tribes don't have here on the main land, is
25 engaged in trying to facilitate a nation building

1 process for the Native Hawaiian community.

2 So I think really what the Secretary wants to
3 know in the second and third questions is, is
4 there any role -- any helpful role for her in that
5 facilitation and that reorganization process or
6 would any federal involvement just be confusing in
7 light of what is happening within the community.

8 But even if, you know, you say no, we think
9 between the community efforts, it's being handled
10 in Hawaii, the fourth and fifth questions really
11 go to one I think a lot of people think of when
12 they think of federal recognition and federal
13 acknowledgment. Because if you -- I guess the
14 fourth question is, you know, should the Secretary
15 rely on the process that's going on; and then,
16 really, we need to know what criteria the
17 Secretary should have in place to know that
18 whatever government is formed by the Hawaiian
19 people that that government is actually the true
20 representative of the people.

21 Tribes have Part 83 right now which is their
22 federal acknowledgment process and it includes
23 specific criteria that groups that are petitioning
24 for federal recognition have to establish in order
25 to establish that government-to-government

1 relationship. They have to prove, among other
2 things, a distinct community, political authority
3 over membership, have to have a membership list
4 and some other things.

5 But, you know, some of those may or may not
6 be suited to the Native Hawaiian people and the
7 Native Hawaiian government that may be formed.
8 And we just really want to hear from the community
9 as to what criteria should the Secretary have in
10 place to know -- because the Secretary could be
11 faced with multiple governments that claim to
12 represent all of the Hawaiian people coming to
13 her. And we need to know what -- what the people
14 think would be good indications of which one is
15 the right one.

16 So those are, essentially, the five sort of
17 big-picture questions. The 19 questions that you
18 see throughout the ANPRM are really fleshing out
19 those. And my recommendation to people is -- I
20 know even if people object and say no to the first
21 question or no to the second and third, it still
22 would be helpful for us to have feedback from
23 people.

24 So if you said no to the first question, but
25 a decision was to try to put together a rule, it

1 still would be helpful to have your input as to
2 what those criteria would be for approving that
3 the government is indeed reflective of the will of
4 the Hawaiian community.

5 So the bottom line is, do you think there
6 should be a door in place that the Native Hawaiian
7 government, when formed -- and I say when because
8 I am very optimistic and hopeful that it will be
9 formed in the near future. When that government
10 is formed, you know, what should that government
11 have to prove to the Secretary of Interior when it
12 comes to her door seeking federal recognition.

13 **MR. DERRICK BEETSO:** So, like Venus said, a
14 lot of the materials that you have today speak
15 directly to the Advanced Notice of Proposed Rule
16 Making. So we have the press release which you
17 have in your packet as well as the Power Point
18 which we just went through and then the actual
19 ANPRM with the facts and question/answer sheet.

20 So at this point, I want to reiterate, we'll
21 open it up to statements so please state your name
22 clearly and speak clearly and concisely if you'd
23 like to make a statement.

24 So would anybody like to ask a question or
25 make a statement?

1 **MS. ROWENA AKANA:** I'd like to ask a
2 question. What would some of the rules be in a
3 Part 83 for American Indians and could any of
4 those rules be applied to Native Hawaiians?

5 **MS. VENUS PRINCE:** Some of the them, I think,
6 would -- could be tailored and changed. I mean, I
7 know there is, essentially -- although the
8 Part 83 regulations are being -- they're going
9 through their own rule making and amendment
10 process right now. So some of those could change,
11 but I think -- I know I -- I believe the first one
12 is sort of an external identification of the group
13 as Indian tribes from historical times to the
14 present. That one I know is being looked at and
15 is being amended in the current process.

16 But I think it's -- that may be able to be
17 tailored and be something that the Native Hawaiian
18 community -- you have over 150 statutes with
19 Congress that's, essentially, you know,
20 acknowledging the Native Hawaiian people. So in
21 some ways I think that would be something that
22 would be easily met by any Native Hawaiian
23 government that we form.

24 Distinct community, again, that's another one
25 that I think is something that the Native Hawaiian

1 community would easily meet.

2 And then the political influence and
3 authority, I think that's probably the one that is
4 more challenging in some ways, I mean, primarily
5 because what you're engaged in now is trying to
6 have the formal government that I think is what a
7 lot of tribes may have sort of had. And I know
8 that there are ways and informal, you know,
9 governments and informal leadership, you know,
10 structures that exist right now in the community.
11 But that one I think -- so I think that one
12 probably would need to be tweaked to be more
13 suited to the Native Hawaiian experience.

14 I mean, the other two criteria that I
15 think -- Derrick, if you remember, correct me if I
16 am mistaken. I know there is a membership list
17 and I know that's, you know, something that the --
18 that's been worked on in Hawaii extensively over
19 the past couple years.

20 And the other is sort of a genealogy and sort
21 of -- sort of established a genealogy that the
22 dissent from sort of the historic group which I
23 think is -- it's similar -- it can be similar, but
24 it's different. And I think those are the primary
25 criteria. But, obviously it is -- it sounds

1 simple and -- you have to be able to show some of
2 it continuously.

3 And so it certainly -- and I think we think
4 there are aspects of Part 83 that can be very
5 useful for the Native Hawaiian community and I
6 just know that there are other aspects of it that
7 need to be more uniquely tailored than they are
8 right now. And I think it's -- right now that
9 rule doesn't apply for Native Hawaiian government.
10 So I think we just want to make sure that there is
11 a rule there that would apply.

12 **MS. JENNIFER ROMERO:** And I just -- I would
13 add that part of the reason why we're undergoing
14 this process -- Secretary Jewel undertook this
15 process under the Obama Administration is that
16 we've learned -- we have acknowledged through
17 Congress in these 150 statutes that the Native
18 Hawaiians have a very unique history with the
19 United States. They're not Indian tribes. There
20 are certain aspects to assisting federal
21 regulations that perhaps could be tailored to the
22 Native Hawaiian community acknowledgment process.
23 But the United States, through the Secretary of
24 the Interior, has recognized that Part 83 doesn't
25 apply and shouldn't apply to Native Hawaiians.

1 But there should be a form of any rule that's
2 coming of this process.

3 **MS. VENUS PRINCE:** I didn't mean to interrupt
4 you.

5 What I was going to say, the other thing that
6 I know that we mentioned in passing, but I would
7 emphasize, the Part 83 regulations are founded
8 upon, you know, sort of the idea that the
9 petitioning group doesn't have a political and
10 trust relationship or government-to-government
11 relationship yet. And I don't think any of us
12 quite know how --

13 You know, so the fact that Native Hawaiians
14 already have a political and trust relationship,
15 you know, just sort of fundamentally changes what
16 you would think we would need, you know, for the
17 Native Hawaiian government to prove in order to
18 establish the government-to-government
19 relationship.

20 So it's very -- it's not only unique
21 historically -- the Native Hawaiian community not
22 only has a unique history, but I think the legal
23 framework for Native Hawaiians is very unique, as
24 well.

25 **MR. DERRICK BEETSO:** I would just add that,

1 you know, two parts were mentioned, Part 81 and
2 Part 83. Part 81 is a little bit different than
3 Part 83. As was just mentioned, Part 83 is for
4 groups that don't have the political trust
5 relationship that are petitioning for a
6 government-to-government relationship.

7 Whereas Part 81 has it's roots in the Indian
8 Reorganization Act and -- so you have the Alaska
9 and Indian Reorganization Act which would
10 acknowledge a group of Alaska natives and Alaska
11 as a governing entity. And then you have the
12 Indian Reorganization Act which would acknowledge
13 a group of Indians living on a reservation as a
14 government entity. These are historic acts, like,
15 from the 1930s and the 1920s.

16 We have the Oklahoma Indian Welfare Act, as
17 well. And the reason behind that was a long time
18 ago there were -- Oklahoma, itself, was all
19 considered Indian territory -- Indian Country. So
20 you have a lot of Indian tribes in Oklahoma. But
21 in 1934 when they had the Indian Reorganization
22 Act there were so many different tribes that the
23 government looked at them and said that they
24 needed some sort of a tribal governing
25 organization. And so they had the Oklahoma Indian

1 Welfare Act which allowed them to organize as a
2 tribe.

3 So that is kind of my analogy to the
4 situation. It's definitely not the same. But if
5 you had, in that sense, Indians in Oklahoma that
6 the government definitely realized they had a
7 political trust relationship with but they weren't
8 organized as a government entity that the United
9 States government could recognize a governmental
10 relationship with. So that's Part 81.

11 And so a lot of that is -- a lot of the
12 criteria there would get to the documents of the
13 constitution of a tribe and it looks at how many
14 individuals from the community ratified the
15 constitution.

16 But as Venous said, one of the primary, I
17 guess, facets of reorganization would be the
18 membership list. And it has to be a base
19 membership list, there has to be one base role
20 that it kind of relates back -- and it has to be
21 unambiguous. You can't have -- it has to be like
22 a state membership list that you can derive how
23 many of those members actually voted and ratified
24 the constitution.

25 So in my mind I kind of look at the Indian

1 Reorganization Act as kind of analogous but not
2 really directly on point.

3 So what the ANPRM was asking was for folks to
4 read, you know, Part 81 and Part 83 and see if any
5 of the sections make sense in regards to the
6 Native Hawaiian community. That's why we want to
7 try and seek public comments.

8 I hope that clarifies your question.

9 **MS. ROWENA AKANA:** Yeah, it does, but I have
10 a follow-up question. And the follow-up question
11 is, how much emphasis on the unique status that
12 Hawaiians have with the Federal Government -- how
13 much of a difference would that make with the
14 Secretary of Interior and the people making or
15 suggesting the rules?

16 Because, as you know, we're not like the
17 other 48. We're not like Alaska Natives and we're
18 unique in the Pacific. And so in the past -- I'm
19 just speaking from experience -- in the past when
20 we tried to pass the federal legislation, many
21 congressional people were very confused and they
22 would question, you know, well, we don't fit in
23 this box. You don't -- you don't have acres of
24 contiguous land where all Hawaiians live as you
25 know. You've been there. So we have Hawaiian

1 homesteads which could be described as
2 reservations.

3 However, they're not reservations and they
4 are the result of the overthrow. And our first
5 representative to Congress who appealed to the
6 Congress because Hawaiians had no land. So these
7 set-aside lands were given to people who could
8 prove that they were 50 percent blood or more.

9 My concern is that it would be very easy for
10 the Federal Government to say, well, you know,
11 let's just take these people who are 50 percent
12 blood already and who live on these set-aside
13 lands and that would be the start of your role or
14 your -- or whatever they describe as, you know,
15 your -- you have a section that describes the
16 district where people have to live in a certain
17 area.

18 And that's my real concern that the people
19 looking at this in Washington don't have the
20 experience to know what it's like in Hawaii and
21 how unique it is. And so to put us in a situation
22 that applies to other people would -- we would not
23 meet those criteria at all and so it would be very
24 difficult. So, I guess, I'm very concerned as to
25 how all of this will play out in the end when a

1 recommendation is made in terms of a rule and how
2 you recognize Hawaiians.

3 We have only 7,000 Hawaiians who actually
4 live on these homesteads. We have about 150,000
5 Hawaiians who live elsewhere. And they don't live
6 on reservations. And we have more than the 7,000
7 who are 50 percent blood and more that do not live
8 in reservation areas or in, you know, contiguous
9 land areas. And so what happens to those people
10 and -- you know what I mean?

11 So it's a very -- I don't envy your job. I'm
12 just saying that at the end of all of this, then I
13 hope the people who are making the final
14 decisions, you know, realize that some of the
15 things that are going to be or would have been
16 considered before cannot be considered in our
17 situation.

18 **MS. VENUS PRINCE:** I would emphasize that --
19 and you had a lot in that comment and I'm going to
20 try to address some of it and Jennifer will jump
21 in, or Derrick, if there are other aspects that
22 I'm missing.

23 This administration, in particular, is
24 extremely focused on tribal self-determination and
25 tribal self-governance. So I think when it comes

1 to -- I don't think any rule that would be
2 drafted -- if this effort moves forward, I don't
3 think any rule that would be drafted would be
4 trying to prescribe the membership or trying to
5 limit the membership to the homesteaders or
6 anything like that because, you know, we very much
7 believe in tribes and the Native Hawaiian
8 community being able to define its membership.

9 Any rule that would be drafted would be
10 setting basic parameters that we think would make
11 it consistent with federal law. It would not be
12 trying to micro manage how the Native Hawaiian
13 government determines its membership.

14 I emphasized yesterday that tribes change
15 membership requirements over time. And I expect
16 that a Native Hawaiian government may do the same
17 thing over time.

18 And I think the -- you are absolutely correct
19 that there are a lot of unanswered questions,
20 issues, how, because of the uniqueness of the
21 Native Hawaiian community and any government that
22 would be formed. Sort of how land issues and all
23 of that would play out long term.

24 But I think that's one reason that I just am
25 so hopeful that the government is formed because I

1 believe that is one of the major functions of the
2 governing entity is to be able to negotiate and
3 have that government-to-government relationship.
4 Go talk to Congress, you know, about how those
5 issues should be handled or go talk to the
6 Department of Interior on a
7 government-to-government basis about, you know,
8 certain programs. You know, educational benefits
9 or things that -- and how they should be handled.

10 And I think having that government entity to
11 try to negotiate those issues on behalf of the
12 Native Hawaiian people would just be -- I think it
13 would be so empowering and critical to sort of the
14 well being of the community.

15 **MS. ROWENA AKANA:** I have just one more
16 question and I will let others speak.

17 **MR. DERRICK BEETSO:** Okay. Again, let's go
18 ahead and make sure everybody has the opportunity
19 to make opening comments and then we'll circle
20 back for second comments.

21 So would anybody else like to make a
22 statement or a comment or have a question for the
23 panel?

24 **MR. BEN CARNES:** I've got a bunch.

25 Let's start with the first one. As I stated,

1 my name is Ben Carnes, C-A-R-N-E-S. Chahta
2 Nation. From a place called Indian Territory. I
3 say this because I've learned my history. I feel
4 like I'm very intelligent. I feel a lot of people
5 really don't understand what I'm saying because I
6 offer another perspective that the United States
7 does not share with its people that's called
8 Americans. And so when I speak to audiences, I
9 explain that I am not an American Indian. I am
10 not Native American. And I am not an American
11 citizen. I'm a citizen of the Chahta Nation, you
12 know, so I do get upset when you say, oh, you're a
13 member. No, I am not a member of any club. I am
14 not a member of an organization. I am a member of
15 an Indigenous Nation whose homelands are here in
16 this country here.

17 And for me, sovereignty has been a very
18 painful thing to achieve here. I looked in our
19 history to find out what happened to it. And I
20 found it through the decisions that were made in
21 the early 1800s where Indian Territory was known
22 as the Trail of Tears.

23 And I noticed in our history they imposed the
24 American Indian Citizenship Act on us in 1924. I
25 discovered about four or five years later the

1 United States Government pardoned 40 some Apaches.
2 For all intents and purposes made, our people were
3 forced onto reservations and forced, basically, to
4 be prisoners of war. We have never been pardoned
5 from their custody. But instead they imposed the
6 American citizenship upon us. And they created so
7 many programs for our people that they went along
8 with it.

9 So with those things in mind, we have five
10 questions, these threshold questions. And to each
11 and every one of those I will say no. Because the
12 Interior Department has no business discussing
13 government-to-government relationship with a
14 sovereign nation. If this government wants to do
15 that it needs to go through the State Department.

16 In August of 2001, 2002 (unintelligible) I
17 was there. And I was in Kauai visiting with some
18 friends. And I'm very passionate about it. It's
19 one of the reasons I made this effort to be here
20 today. But I listened to them. They showed me
21 videos of their homes being tore down by the
22 Hawaiian Office of Hawaiian Homelands because they
23 didn't build their homes according to code. These
24 are sovereign people. One man built his home and
25 didn't have the right permits so it had to be torn

1 down. So he barricaded his doors before the cops
2 got there and he poured gasoline everywhere and he
3 sat in a chair and lit himself on fire. His
4 brother was telling me this.

5 And I promised him that I'll keep speaking on
6 behalf of your people and do whatever I can. This
7 man died before he could share that truth. So by
8 perpetuating this falsehood -- because you
9 admitted, it's right here, the overthrow of the
10 lawful Hawaiian kingdom by the United States
11 Military and its agents. So how dare the United
12 States decide to keep us subjugated to its laws.

13 The United States will to do the right thing,
14 recognize its freedom. Protect those people there
15 while they decide for themselves how they're going
16 to reorganize because that was the question that
17 was posed to me when I was there in Honolulu and I
18 testified. Because they had brought in Susan
19 Mathis (phonetic) from the National Congress of
20 American Indians and another lady from the Alaska
21 Corporation telling everyone how good it would be
22 to be recognized under this. When I testified the
23 next day, I apologized for what my sisters had
24 said because they have become American in this.
25 They believe in this.

1 But if you ever accept this, you will no
2 longer have a voice for your sovereignty because
3 this is what's happened to us through all these
4 treaties, through the decision, and we cannot go
5 to the United Nations and get anything done. If
6 we do, they side with the United States. Take it
7 up with them under the fox guarding the hen house.

8 The most recent chance we had was when I went
9 to Washington, D.C. to make my objections and I
10 understand what all happened in that case, how
11 they changed judges, and the rulings that were
12 favorable and the statements that started changing
13 and coming undone. Their attorney wanted their
14 \$99 million so they convinced her and went around
15 the country like snake oil salesmen and convinced
16 us all this was a good thing.

17 But when we talk about any sort of
18 relationship between the United States Government
19 and our people, you know, a guardian to a warden.
20 Any time the guardian mismanages the trust of its
21 ward, they are usually investigated, removed and
22 probably sent to prison.

23 What happened to the Interior Department?
24 They told the attorneys, we'll agree if we have
25 peace with the Indian people. So here is our

1 settlement so take it or leave it. Because they
2 wanted their money. And they left. This case was
3 about accounting. It wasn't about money, it was
4 an accounting. Who stole the money. But that
5 settlement went and we lost that.

6 So this is how they treated the Native
7 Hawaiian people. This is wrong. Don't do this.
8 Because the relationship -- stick a knife in our
9 back and you pull it out 8 inches and that's
10 supposed to be a victory? I don't want that for
11 my relatives in Hawaii.

12 And I ask you to reconsider and think about
13 what you can do in your positions where you can
14 make these changes. But I'd like to come here and
15 speak the truth as I know it on behalf of the
16 people and keep my promise to them and Kenneth.

17 Remember, you've been there. You heard them.
18 I heard them in Honolulu for five days.
19 99 percent were opposed to it. Newspaper media
20 said they were in support of it. That was a lie.
21 I watched the videos during the hearings recently.
22 They don't want this. They want to be free. They
23 want to create their own kingdom. And if we can
24 do this and give -- because that '93 apology
25 resolution had that disclaimer. Well, take away

1 the disclaimer. Create some declarations.
2 Recognize them. Help them stand up on their own.

3 Thank you.

4 **MR. DERRICK BEETSO:** Thank you.

5 Would anybody else like to make opening
6 comments?

7 **MS. VENUS PRINCE:** I just wanted to emphasize
8 one more thing that we emphasized yesterday which
9 is if there were a rule, it could be a rule that
10 sits there, you know, indefinitely because it
11 would have to be the Native Hawaiian government's
12 choice to use it. And I think that is a little
13 bit of a misunderstanding.

14 I think we've heard when we've been out on
15 the road that it is really just an option. It is
16 not a -- if a rule went forward, and if it were
17 put in place, it is essentially a door that's
18 sitting there whether it's there two years from
19 now or, you know, the rest of the people's lives
20 it is never used.

21 I think really what we're trying to ask is
22 should there be an option there if the Native
23 Hawaiian government chooses to use it at some
24 point in time.

25 And the other thing I wanted to emphasize is

1 that this administration is perhaps one of the
2 most friendly administrations to Indigenous
3 peoples that, you know, we've ever seen and
4 they've ever seen in some of our lifetimes. So we
5 have a little over two years -- and the wheels of
6 the Federal Government, you know, turn very, very
7 slowly so getting anything done takes a little bit
8 of time.

9 But I think this administration very much
10 wants to do something, if it can, and if the
11 Native Hawaiian people want it to give the people
12 an option. And so that is why, you know, we're
13 proposing this and asking these questions and
14 seeing whether the Hawaiian people want an option.

15 **MS. ROWENA AKANA:** I want to thank the
16 gentleman for speaking. And I was thinking, as he
17 spoke, sounds like you're back in Hawaii, right?

18 You know, a lot of what he said is true. But
19 for Hawaiians like myself, we wonder, you know,
20 what other alternative we have at this time to try
21 to turn the tide back. And I see that rule making
22 as a possible step. Who knows what can happen
23 after this rule is made. If it is made with the
24 consideration that Hawaiians will at some point in
25 time reinstate their own government and have a

1 government-to-government relationship with the
2 United States.

3 If -- if I thought for one minute that Hawaii
4 could return to its kingdom, I would support that.
5 But I don't believe that that can happen at this
6 point in time -- maybe never -- because there are
7 too many people in Hawaii now. In fact, I think
8 the population is about 1.4 million and out of the
9 1.4 million you have 200 plus Native Hawaiians.
10 So we're outnumbered in our own homeland as I'm
11 sure you all are.

12 So what is the possibility of returning our
13 kingdom?

14 We certainly have monarchies that are still
15 alive. We have descendants of Kalakaua (phonetic)
16 and our king and queen. But, you know, how would
17 that work?

18 How would we go back to that kind of kingdom?
19 We had a constitutional monarchy pretty much set
20 up like England does. We had a House of Nobles,
21 House of Commons, we had a king and a queen, and
22 we had royalty. And at the time of the overthrow
23 our king and queen didn't have that much power,
24 just like England. It was mostly the Congress,
25 this illegal Congress.

1 And even though the people didn't have much
2 power at that time because the sugar planters were
3 in charge and they made our king sign a
4 constitution allowing only people with land to
5 vote. So we were not in a great situation. Maybe
6 better than now.

7 But how would this all happen? How can we go
8 back to our kingdom? So for young leaders like
9 myself, my job, I think, is to protect all the
10 trusts that we have for our people, to look
11 forward to the future, and I see this rule making
12 as the first possible step that eventually may be
13 getting back a lot of what we've lost.

14 Our cultural is alive. Our people and
15 language is alive. We have so much to be grateful
16 for. We have not been annihilated as a people.
17 But if we can, I think, establish that we're not
18 going anywhere and we are determined to form our
19 government, it will be the very first step. And
20 this is what I see this to be.

21 I do not see a future of hoping that we can
22 go back to our kingdom because that's not
23 possible. But I thank you.

24 **MS. JENNIFER ROMERO:** Thank you. Thank you,
25 Rowena, for that very powerful statement. I would

1 just respond and just add, really, that the
2 federal team that was in Hawaii in June and July,
3 we canvassed the state. We had 15 meetings and
4 recorded over 45 hours of testimony from Native
5 Hawaiians in their own communities. We were -- we
6 thought that it was critically important to hear
7 from the people. And, yes, a majority of the
8 people that came to those meetings expressed their
9 outrage and their feelings of injustice with
10 regard to the overthrow and the United States rule
11 in that overthrow. We heard that loud and clear.

12 But we also felt that it's also critically
13 important to hear from those who did not speak or
14 could not speak at those hearings. Those that
15 felt intimidated by the majority that did show up
16 to those hearings, to speak their truth.

17 So we have a comment period that's open until
18 August 19. And we want to hear from more people,
19 Native Hawaiians on the main land. Native
20 Hawaiians back in Hawaii, non-Native Hawaiians,
21 interested parties, stakeholders from all over.
22 We want to get this feedback on how this process
23 could move forward or give us some ideas on how --
24 if we do move forward, how we can assist the
25 community in reorganizing and support that

1 reorganization in a way that does preserve the
2 benefits that Rowena just spoke of and advance in
3 the community so that a government-to-government
4 relationship can and will support the future goals
5 of the community as a whole.

6 **MR. DERRICK BEETSO:** Would anybody like to
7 makes a first statement or a follow-up statement
8 at this point?

9 We're scheduled to go here from 1:00 to
10 4:00 p.m., but we definitely don't have to go to
11 4:00 p.m. Would folks like to take, maybe, a
12 five-minute recess and come back and then we can
13 see if there is any more comments and statements?
14 And if not, then we will just see if everybody is
15 okay to adjourn early.

16 Let's take five and then come back.

17 (A recess was taken from 1:55 to 2:03 p.m.)

18 **MR. DERRICK BEETSO:** Okay. Well, I guess
19 we'll go ahead and get started again.

20 Before we get started, I just wanted to kind
21 of clarify our role here as federal folks. I know
22 this is a Federal Government meeting. We set it
23 and so a lot of folks, maybe, don't understand how
24 the federal government works. We're, basically,
25 all representatives of different agencies. Here

1 we're representatives of the Department of
2 Interior. So the scope of the ANPRM has to be
3 things that are within our right.

4 I know there was some issues that were
5 brought up that were in the state department's
6 lane and international issues and that's not what
7 the ANPRM is. It's not us speaking to those
8 issues.

9 So any time the Interior comes out and meets
10 on a rule that, you know, we're considering, in
11 this instance, or say it was a proposed rule, it
12 has to be something that we have the authority to
13 do. So the ANPRM, you know, in our minds is
14 within the authority of the Department of
15 Interior.

16 And so it's really important when we have
17 these public meetings to try to get the public to
18 speak to those questions that we're asking within
19 the context of what we're asking. And so, you
20 know, as much as we can, when you make statements
21 today, try to keep it within the framework of the
22 ANPRM and that would be very helpful for us
23 because the comments that we receive, we have to
24 make sure that it fits within our lane and some
25 other lane. And it's just -- it helps with the

1 federal rule making process.

2 With that being said, I'd like to open it up
3 for more comments and questions. Maybe during the
4 break time you have had a chance to think about
5 some of the comments made earlier or have a
6 follow-up clarification on some point. So at this
7 point if you would like to make a comment, raise
8 your hand and I'll come to you and give you the
9 microphone.

10 **MR. BEN CARNES:** Okay. Based upon my
11 comments earlier. If you chose to go through
12 this -- and I believe you said something about
13 membership, citizenship. How would the Interior
14 Department determine citizenship?

15 And what I guess I'd like to hear is what
16 happened to us as Native people. They found
17 sellouts within authority and got them drunk and
18 got them to sign a paper. That is my concern.

19 How will you be able to determine whose voice
20 you will hear? And will that just be also based
21 upon -- and I don't -- that's another issue.

22 **MR. DERRICK BEETSO:** Thank you. Let me take
23 a crack at it. So right now at this point, the
24 Advance Notice of Proposed Rule Making, we haven't
25 made any decisions or choices at this point. And

1 it's kind of an optional process ahead of a formal
2 review. We haven't drafted a rule at this point.
3 We haven't proposed a rule. It's questions that
4 are kind of asking those same questions.

5 So if you have suggestions -- I know that was
6 a good question -- within the scope of what we're
7 asking, we have a written comment deadline on
8 August 19. If you have suggestions within the
9 framework, you know, some criteria that might be
10 considered, that would be the place to put it. So
11 take it out of a question format and propose
12 something and let us know your thoughts on that
13 and let us know concerns that you have regarding
14 that.

15 This kind of gets to the discussion earlier
16 about membership criteria. The membership
17 criteria -- the Supreme Court has said that's
18 something that is inherit in government function.
19 *Santa Clara vs. Martinez* said that a tribe has the
20 authority to decide who their members are, not the
21 United States Government.

22 So, you know, from our perspective, when we
23 get petitions for federal acknowledgment or if we
24 get a petition to recognize an entity, what we
25 look to is, you know, it's -- every case is

1 individual. You know, every tribe has a unique
2 circumstance and we'll -- you know, definitely we
3 look to whether or not there is ambiguity. We
4 cite several different roles so somebody could be
5 a member if they're enrolled in the 1910 census
6 lists and also, like, the 1934 list -- something
7 like that wouldn't pass because it's not -- it
8 doesn't relate back to one sort of definition. It
9 kind of creates different, I guess, avenues.
10 That's just with Indian Affairs.

11 You know, with Indian Affairs, that's how
12 we've done it. And the reason why the Interior
13 has Indian Affairs here is because of all the
14 folks in the Department of Interior, we have a
15 history of dealing with these types of petitions
16 and these types of organizations and
17 reorganizations.

18 And so almost in a sense we're here in a
19 technical assistance capacity because we realize
20 that Native Hawaiians are different. They're
21 definitely not American Indians, they're
22 definitely not Alaska Natives. But at the same
23 point -- at the same time if we're looking at
24 potentially developing regulations or
25 acknowledging a government-to-government

1 relationship, Indian Affairs has a history in the
2 way we've done it with tribes. You know, we
3 looked to whether or not there is ambiguity, we've
4 looked to see whether or not it passes that sort
5 of test. Like, are all folks genetically related
6 back to Native people. So we look at that.

7 And if there is ambiguity, you know,
8 sometimes we reach out to the tribe and we work
9 with them and we say we have a concern about, you
10 know, your base membership rule. You cite three
11 different base membership rules and we really need
12 you to pick one and make sure that all your
13 memberships relate back to that one list, you
14 know. So that's how we've done it.

15 But, definitely, the questions and the scope
16 of the ANPRM, we haven't made any choices at this
17 point. So we're really seeking feedback. So if
18 you have questions, it would be better as a
19 statement -- if you have solutions, write to us
20 and let us know what your comments are on these
21 different questions.

22 Let me see if Venus and Jennifer have
23 anything.

24 **MR. KAWIKA RILEY:** Thank you, Derrick. Thank
25 you, Venous. Just on the topic of membership,

1 what I wanted to clarify -- I'm sorry. Kawika
2 Riley, Chief Advocate, Office of Hawaiian Affairs.
3 The position of the Office of Hawaiian Affairs is
4 that membership, or as I like to think of it,
5 citizenship criteria, is the -- should be the
6 sovereign right of the Native Hawaiian government
7 entity. That is something that it should
8 determine consistent with federal law, consistent
9 with international law, the Native Hawaiian
10 people's right.

11 And what we also describe in our official
12 comment is that there is a process under way for
13 Native Hawaiians to commence, on a nation
14 building, a broad-base democratic process that
15 utilizes the Native Hawaiian Rule Commission's
16 work in gathering an official role of verifying
17 Native Hawaiians so that we can show that whatever
18 emerges from that process came from those Native
19 Hawaiians who wanted to participate and exercise
20 their inherent sovereignty as a people.

21 Thanks to law that was passed in 2013, there
22 is an official rule that not only includes all of
23 those Native Hawaiians who signed up directly
24 through the Native Hawaiian Rule Commissions
25 process, but it also includes Native Hawaiians who

1 signed up for previous verification processes,
2 (Native language spoken) the Hawaiian registry
3 program, Operation Ohana (phonetic).

4 So what I want to stress is that that
5 process, the official rule as it stands now, is an
6 inclusive process. It incorporates the work of
7 various different entities verifying the ancestry
8 of Native Hawaiians for over 14 years at this
9 point. There is no blood quantum restriction.
10 The only question is whether or not the Native
11 Hawaiian wants to step forward and be counted in
12 that process.

13 What the Office of Hawaiian Affairs has
14 committed to doing is co-facilitating and
15 supporting the funding that nation building
16 process where any and every Native Hawaiian who
17 has been verified by any of those enrollment
18 efforts can participate in an election, can run
19 for office themselves, can vote for the delegate
20 that reflects their values, and those elected
21 delegates would then convene at what we're calling
22 a government aha (phonetic), some would think of
23 it perhaps as a Native Hawaiian constitutional
24 convention.

25 Whatever we call it, that is the place where

1 Native Hawaiians would create that principle
2 governing document. Bring our government to life,
3 tell it what to do. State the kinds of things
4 that need to be in a constitution. What are our
5 guiding values and how do we put that into our
6 preamble. How do we select our leadership. What
7 is our citizenship criteria. Again, that being
8 our right to determine that for ourselves.

9 And I, as a Native Hawaiian, believe that our
10 elected representatives will have a citizenship
11 criteria that reflects our values of inclusiveness
12 and for all of us, like myself who signed up, I
13 know that there are other family members who did
14 not for various reasons. We don't want to leave
15 our families behind. So I think that we'll have
16 an inclusive citizenship criteria for our people.

17 So -- and then I guess just speaking as a
18 young father, one of the things that inspires me
19 in the work that I have the privilege of doing is
20 I think about my son. I think about my daughter
21 on the way. And I look forward to the day where
22 they're not like me where I have trouble
23 envisioning what the native Hawaiian governing
24 entity will look like, what our government will
25 do, how it will represent us, how it will make it

1 possible for us to exercise our self-determination
2 in the appropriate way.

3 I look forward to the day when my kids ask
4 me, what was it like when our nation wasn't
5 recognized and they will have trouble imaging
6 that. Because, ultimately, what we're trying to
7 do here, as Trustee mentioned, we're trying to
8 take what we still have, the Hawaiian trusts, the
9 Hawaiian programs, our lands, our rights, our
10 resources that have been passed down that have
11 been protected by the (Native language spoken)
12 generations before us. We're trying to protect
13 that right now.

14 But we also want there to be a way for us to
15 not just protect we have but pursue what we
16 deserve and I am hopeful that this rule making
17 process can get us in that direction and I look
18 forward to the day when my children can't imagine
19 a world without our nation being recognized.

20 Thank you.

21 **MS. ROWENA AKANA:** For the record, my name is
22 Rowena Akana, Trustee with the Office of Hawaiian
23 Affairs. And I have been elected to serve our
24 people for the last 24 years.

25 As far as the ANPRM, I personally support

1 one, four, and five. I think that two and three
2 ought to be left to our people when that time
3 comes. As Kawika has said, our office is
4 instrumental in helping to make this process a
5 reality. And simultaneously we are engaged in
6 helping to create this role that would be the
7 beginning of the establishment of citizens for our
8 native government. At the last count we had
9 112,000 Hawaiians who have signed up on this
10 Hawaiian role. We're leaving the role open until
11 January, and hopefully we will get more people.

12 But the role has been extended because there
13 has been this emphasis -- anybody who is on the
14 role has been cleared as far as blood -- native
15 blood. And so we do look at their birth
16 certificates, their family's birth certificates,
17 to identify them as Hawaiians. So we have done
18 that. So this list of 114,000 people has been
19 verified as being Native Hawaiian. So our office
20 will continue to do this and hopefully when this
21 process is over and a rule is created, we will
22 have the start of the beginning of our nation,
23 hopefully.

24 Thank you.

25 **MR. DERRICK BEETSO:** Thank you. Any more

1 comments?

2 **MS. SUSAN BAME:** I am Susan Bame from Full
3 Circle Mediation in Sioux City, Iowa. And I came
4 here just to listen and to be here. I wasn't
5 going to say anything. I really wasn't. But
6 listening to your comments has brought up a few
7 things that I'd just like to put out there. And
8 it may not be in the right pathway, so excuse me
9 if I'm not speaking in the right mode here, but
10 this is what came up to me.

11 The process that I use when I do mediation is
12 called the transformative model. And the -- one
13 of the basic ideas of that model is that I see two
14 people in front of me who sit there as capable. I
15 believe that they can do it. And, basically, they
16 don't need me there. So I -- I am -- it's an
17 opposite view point that is, oh, I'm the mediator,
18 I'm here to save you and you don't handle your own
19 conflicts so I'm going to fix it for you. See, I
20 have a totally opposite way of looking at things.

21 When people come to me I basically say, you
22 don't need me here. You're capable of doing this
23 for yourself.

24 But when I think about the Native Hawaiians
25 and what I've heard and what I've read on the

1 internet about this situation is the Native
2 Hawaiians say, questions one, two, three, four and
3 five, no. And I've heard a statistic here today,
4 99 percent no.

5 Are you listening to the "no" that's being
6 said?

7 Do you believe that the Native Hawaiian
8 people can come up with their own way of governing
9 themselves?

10 Do you look at them and say, you're capable,
11 I know you've got it in you? Or are you looking
12 at them saying, you need me here because you can't
13 do it for yourself because you're pathetic?

14 Is that the way you're looking at people or
15 are you looking at people and saying, all I have
16 to do is stand back and let you work it out for
17 yourselves and it's going to be great.

18 Another thing that came to me as I was
19 listening to these comments, when the people came
20 and spoke, and they spoke passionately and they
21 were very angry and outraged, I think was the word
22 I heard, at some of the things that have happened
23 since 1893, they needed a forum to express their
24 outrage. Very much like the truth and
25 reconciliation commission in South

1 Africa needed -- they needed that chance to
2 express themselves. And then when the air was
3 cleared, then it was obvious what needed to happen
4 next. I see that in the mediations I do, too.
5 People come to the meetings and they're just
6 confused and angry and don't quite know why,
7 they're very unclear and they've got lots of
8 questions and they're blaming everybody and the
9 history and, oh, you did that to me, your son did
10 that to my son. It's horrible. They have to have
11 a place and a time to be able to express that.
12 And when they express that, the answer comes up in
13 two minutes and you're done.

14 You have to have -- you have to give people a
15 chance to speak and speak and speak and speak and
16 speak and eventually through that speaking the
17 answer is right there. It doesn't come from
18 another person. It doesn't come from a government
19 entity. It doesn't come from anybody outside. It
20 comes from the spirit that is within each one of
21 us. The part of every one that I look at and say,
22 you're capable. You can do this. I know -- I
23 know you've got that in you. You've got the spark
24 within you and I trust that and it's going to be
25 great. That's what I wanted to say.

1 Trust the Native Hawaiian people to come up
2 with their own government. Allow them to express
3 themselves.

4 I would set up something like a truth and
5 reconciliation commission to allow more
6 expression, not less. But to allow -- and you
7 were saying that there were some people who felt
8 intimidated, like they couldn't speak for
9 themselves because there were other angry people
10 there who dominated the discussion. Obviously.
11 Okay. So let -- set up a way for everyone to
12 express themselves and then trust that they can
13 come up with their own form of government. Allow
14 that to happen. I have faith that they can do it.

15 **MR. DERRICK BEETSO:** Thank you.

16 **MS. VENUS PRINCE:** I just wanted to add, I
17 don't -- this federal team, I know, very much
18 wants that. And I think what we want to do is we
19 just want -- I know I said this before, but we
20 want there to be a process that that government,
21 when it is formed, and when it is formed by the
22 Native Hawaiian people, is a process by which they
23 can come to the Federal Government and ask for
24 that government-to-government relationship.

25 And I wanted to emphasize one other thing. I

1 know earlier you had asked what we might be
2 looking for. And I think it goes back to my
3 earlier point of wanting to be sure that the
4 constitution, you know, that Kawika was
5 mentioning, like when it is drafted, when it is
6 voted on, is something reflecting the will of the
7 people.

8 I'm not saying that it has to be the same
9 thing. Like in Part 81 there is sort of a
10 30 percent requirement -- you know, like
11 30 percent of the eligible voters voting on it.
12 And then it's sort of a majority of whoever votes,
13 you know, on it. But, you know, something along
14 those lines might be something that we would kind
15 of have as a condition. So just making sure that
16 that constitution reflects the will of the people.

17 **MR. DERRICK BEETSO:** Any other comments?

18 Okay. Well, maybe we'll have an opportunity
19 for closing comments if anybody wants to make any
20 closing comments or statements. Maybe we'll do
21 that before we adjourn.

22 Okay. Well, I thank you guys again. I know
23 it's Wednesday afternoon. I know it's a workday
24 so I appreciate you guys all being here, coming to
25 Rapid City, South Dakota for this meeting. And we

1 thank you again for your time and appreciate all
2 the comments and statements that we received.

3 And just for clarification, we have a court
4 reporter here and we're going to have a
5 transcription of everything that was stated here.
6 And I don't know how fast we'll be able to make it
7 available but we will try and get it up as quick
8 as we can on the website.

9 So thank you.

10 (Whereupon, the hearing was then concluded at
11 2:25 p.m.)

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